

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LABORERS' COMBINED FUNDS OF)
WESTERN PENNSYLVANIA, as agent)
for PAUL QUARANTILLO, and JOHN C.)
BUSSE, trustees ad litem,)
LABORERS' DISTRICT COUNCIL OF) Civil Action No. 06-0479
WESTERN PENNSYLVANIA WELFARE)
AND PENSION FUNDS, WESTERN)
PENNSYLVANIA HEAVY & HIGHWAY)
CONSTRUCTION ADVANCEMENT FUND)
and the LABORERS' DISTRICT COUNCIL)
OF WESTERN PENNSYLVANIA and its)
affiliated local unions,)
Plaintiff,)
v.)
PENN TRANSPORTATION)
DEVELOPMENT, INC.,)
DONALD R. GEARHART,)
JAN R. KIKTA and)
GARY M. PRODEN,)
Defendants.)

CONSENT JUDGMENT

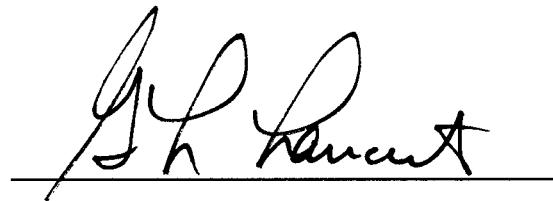
AND NOW, this 25 day of June, 2006, with the consent of the parties, judgment is hereby entered in favor of the Plaintiff and against Defendants, Penn Transportation Development, Inc., Donald R. Gearhart, Jan R. Kikta and Gary M. Proden in the amount of \$60,748.02.

Payments are to be made as follows:

June 30, 2006	-	\$9,697.10	
July 30, 2006	-	\$9,697.10	
August 30, 2006	-	\$9,697.10,	plus additional interest from March 31, 2006
September 30, 2006	-	\$31,656.72	

Defendants Transportation Development, Inc., Donald R. Gearhart, Jan R. Kikta and Gary M. Proden shall also submit to Plaintiff its reports with payment by the 30th of the month after the month in which laborers perform work.

As long as all payments through August 30, 2006 are submitted in a timely manner, the \$31,656.72 in late charges will be waived and Plaintiff will take action to satisfy this judgment.



CONSENTED TO BY:

/s/ Jeffrey J. Leech
Jeffrey J. Leech, Attorney for Plaintiff

/s/ Jeffrey S. Proden
Jeffrey S. Proden, Attorney for Defendants